AGENDA (Approved 2-8-11)
6:30 p.m. Call to Order
Minutes of the December 14, 2010
Correspondence, Other Business – Jim Cropsey River Front Place
6:35 p.m. First Public hearing on proposed zoning changes to include but not limited to:
Definitions:
FLEA MARKET: Flea Market means any location other than a permanent retail store at which
space is rented or otherwise made available to others for the conduct of business as transient or
limited vendors. This term shall not include those persons who sell by sample, catalog, or
brochure for future delivery, or those persons who make sales presentations pursuant to a prior
invitation issued by the owner or the legal occupant of the premises. (RSA 358-Q: 1)
SEASONAL DWELLING: Seasonal dwelling: Any structure including but not limited to private
cottages and guest or tourist cottages or any portion thereof which is capable of being used as a
residence for one or more persons but which, because of a lack of heating, water supply, sewage
treatment, electricity, cooking facilities, or any other factor relating to the structure or the land on
which it is situated, cannot be continuously used as a residence on everyday of the calendar
year.
SIGNAGE: CHANGE
2.3.7(e) No signage located on any roof or any part of the roof structure.
CHANGE 8.2.1 TO READ: Minimum park lot size shall be ten thousand (10,000) square feet, or
as required by NH Water Supply and Pollution Control Division regulations, whichever is larger.
Any new park over 6 units shall be connected to public water and municipal sewer systems IF
AVAILABLE WITHIN 500’ OF PARK PROPERTY.
CHANGE 10:4 CERTIFICATE OF OCCUPANCY to add second paragraph to read:
Any new business moving into existing commercial structure shall require a certificate of
occupancy. All new business coming into town will be required to register with the land use office
in the Town of Tilton.
CHANGE 10.8 FAMILY APARTMENT TO READ: An apartment may be made in, or added to a
single family dwelling for relatives of the family. Such apartment shall not be converted to rental
or non-family use except where permitted by zoning.
ARTICLE XI ADMINISTRATION – 11.12 Variances
Add after 11.12.4 the following:
11.12.5 A variance not implemented within one year of the date of approval or other time period
specified in the Notice of Decision shall automatically expire.
11.12.6 All variance approvals prior to March 2011 become null and void if a zoning amendment
that affects the variance is enacted before the variance is implemented.
CHART OF PERMITTED USES:
Page 3 Sect. G Automotive and Transportation (1) Motor Vehicles Sales and rental – Add a
special exception (S) in RC – Resort Commercial zone.
(2) Sales and installation of Vehicles Parts and Accessories – Add a special exception (S) in the
RC – Resort Commercial Zone.
Page 5 Sect B – Non-residential (5) Dwelling unit for residential caretaker or security personnel
to change to add Special exception in MU – Mixed Use, MR – Medium Residential, RC- Resort
Commercial, RA – Rural Agricultural, & GC – General Commercial and Not Permitted in RG –
Regional Commercial, VR – Village Residential and DN – Downtown.

REVOTE TO APPROVE GROUNDWATER PROTECTION ORDINANCE FOR THE
PROTECTION OF THE AQUIFER.

Members Present: Sarah Paratore – Vice Chair, Joe Jesseman, Nick Canzano,
Robert Haberman & Sandy Plessner – Ex Officio

Others Present: Norm Boudreau, Joe Plessner, Katherine Dawson, James
Cropsey & Augusta Marsh.
TILTON PLANNING BOARD
Meeting Minutes – January 11, 2011

6:40 p.m. Meeting for the public hearing was called to order by Sarah Paratore – Vice Chair. She notes there is a quorum present for the public hearing.

Correspondence:
- Plan NH Design is now accepting application from NH communities for a design Charrette in 2011 (application due 3-17-11)
- Belknap County Rain Gardens for Stormwater Management on 2-18-11 in Laconia
- Belmont Planning Board meeting Agenda for 1-17-11
- Belmont ZBA meeting agenda 1-24-11
- Permeable paving information
- HB 85 concerning notification of condo owners as abutter notices has public hearing scheduled for 1-18-11 at 2 pm in Concord.
- Notice free posters and brochures for “Green Yards”.

Minutes:

The Vice Chair asked if the board had reviewed the minutes with the changes and correction made by S. Plessner. Hearing no further discussion motion was made by S. Paratore to accept the minutes, seconded by J. Jesseman. Motion passed.

6:45 p.m. First public hearing for the proposed zoning changes as posted in the papers public notice.

FLEA MARKET: Flea Market means any location other than a permanent retail store at which space is rented or otherwise made available to others for the conduct of business as transient or limited vendors. This term shall not include those persons who sell by sample, catalog, or brochure for future delivery, or those persons who make sales presentations pursuant to a prior invitation issued by the owner or the legal occupant of the premises. (RSA 358-Q:1)

S. Paratore notes that currently there is not a definition of a flea market in our zoning regulations.

K. Dawson wonders how this pertains to itinerant vendor. This is also the definition of hawkers and peddlers.

S. Plessner explained we need a definition for flea market in case this situation does come up in the future to help govern it. We have made reference to the RSA in the definition and when a site plan is presented we can ask about parking, utilities and bathroom facilities.

After some discussion it was determined to add it to the chart of permitted uses where flea markets would be allowed.
We could add it under:

Page 2 Section E. Commercial adds #8 Flea Markets: to be permitted in MU, DN, RG, RC, & GC and not allowed in VR, MR, RA, and IN.

The board agreed to keep the definition of flea markets as written with addition to the chart of permitted uses on Page 2 Section E - Commercial.

**SEASONAL DWELLING:** Seasonal dwelling: Any structure including but not limited to private cottages and guest or tourist cottages or any portion thereof which is capable of being used as a residence for one or more persons but which, because of a lack of heating, water supply, sewage treatment, electricity, cooking facilities, or any other factor relating to the structure or the land on which it is situated, cannot be continuously used as a residence on everyday of the calendar year.

S. Plessner notes we have a definition of seasonal dwelling but the board seemed to want one that is more detailed. Should we keep the one we have or replace it with this one?

K. Dawson states she is glad that we are addressing this issue. I would like to suggest that a dwelling unit is at least 650 sq ft that you could add to this definition less than 650 sq ft.

J. Plessner comments a note could be made part of the building permit such as “no building permit will be issued for a residents less than 650 sq ft” and should not be tied to a type of dwelling.

The board agreed to replace seasonal dwelling definition in the zoning regulation with the proposed definition.

**SIGNAGE: CHANGE (under prohibited signage)**

2.3.7(e) No signage located on any roof or any part of the roof structure.

This was change came about to clarify no signage would be allowed on the roof or any part of the roof structure.

The board agreed this should be added but to change it to read, “No signage shall be located on any roof or any part of the roof structure.

**Article VIII Manufactured Housing/Mobile Home (and Recreation Vehicle) Regulations & Standards.**

**CHANGE 8.2.1 TO READ:** Minimum park lot size shall be ten thousand (10,000) square feet, or as required by NH Water Supply and Pollution Control Division.
regulations, whichever is larger. Any new park over 6 units shall be connected to public water and municipal sewer systems **IF AVAILABLE WITHIN 500’ OF PARK PROPERTY.**

S. Plessner this statement clarifies that if the utilities are there then they must hook up to them.

Board is in agreement with adding this change.

**CHANGE 10:4 CERTIFICATE OF OCCUPANCY** to add second paragraph to read:

Any new business moving into existing commercial structure shall require a certificate of occupancy. All new business coming into town will be required to register with the land use office in the Town of Tilton.

Board is in agreement with adding this change.

**ARTICLE XI ADMINISTRATION – 11.12 VARIANCES**

Add after 11.12.4 the following:

11.12.5 A variance not implemented within one year of the date of approval or other time period specified in the Notice of Decision shall automatically expire.

11.12.6 All variance approvals prior to March 2011 become null and void if a zoning amendment that affects the variance is enacted before the variance is implemented.

S. Plessner commented that Joe Plessner suggested that we should change 11.12.6 to add the word “approval” after variance. So 11.12.6 should read as follows:

11.12.6 All variance approvals prior to March 2011 become null and void if a zoning amendment that affects the variance **approval** is enacted before the variance is implemented.

The boards having no additional input from the public are in agreement to add these changes.

**CHART OF PERMITTED USES:**

**Page 3 Sect. G Automotive and Transportation** (1) Motor Vehicles Sales and rental – Add a special exception (S) in RC – Resort Commercial zone.

(2) Sales and installation of Vehicles Parts and Accessories – Add a special exception (S) in the RC – Resort Commercial Zone.

J. Jesseman explained there is a business in this area that has spills all over the parking lot which all run into the drain in the parking lot. I know that I can file a
complaint with DES or to the health officer who has agreed to check into this matter.

K. Dawson feels that changing this to a special exception would be great. This property is very limited as to what can go there with no municipal water and sewer is very expensive to hookup to. The pros to changing to a special exception would allow some development of the land in this area. The Planning Board when reviewing a site plan can put conditions on the approval to regulate what is going on there.

S. Plessner stated that she went thru the chart of permitted use and it is very restrictive as to what can go in the RC district.

S. Paratore feels we should make the RC district less restrictive to other things than to have auto sales. It may be better for the town to be more diverse. I feel we should take more time to review all the possibilities.

The board decided to remove this item from the zoning changes this year. The board will look at this over the course of this next year to see if they can give the property owners more options.


**REVOTE TO APPROVE GROUNDWATER PROTECTION ORDINANCE FOR THE PROTECTION OF THE AQUIFER.**

S. Paratore states the last issue this evening is the Groundwater Protection Ordinance for the protection of the aquifer which we will need to revote to approve at the 2nd public hearing.

S. Plessner explained at the 2nd hearing we will go over the minor changes that were discussed tonight and we need to vote to accept all these changes to be placed on the ballot.

The 2nd public hearing will be held on January 25, 2010 at 6:30 p.m.

8:00 p.m. S. Paratore – Vice Chair closed the public hearing.

**Other Business:**

James Cropsey owner of Riverfront Place is here to discuss the area approved for Phase I with it’s the existing space. There is a vacant space for rent but the prospective tenant didn’t like that space but wanted a space on the river side of
the building. This build out would be a wash as far as square footage space being used. The current empty space will remain vacant, if a tenant was to come to rent the vacant space I would have to come back before the board to discuss.

The board didn’t have an issue with allowing space to be rented. Mr. Cropsey is well aware that that Phase I has ended and he would need to provide parking to enter into Phase II.

Motion made to adjourn meeting at 8:15 p.m.

Minutes prepared by Augusta Marsh, Land Use Assistant.